

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT ALLEN BRADFORD III,

Defendant.

CR 13-63-GF-BMM

**ORDER**

This case was referred to United States Magistrate Judge John Johnston for a revocation hearing and findings and recommendations. Judge Johnston entered his findings and recommendations on August 20, 2015. Defendant admitted he had violated the Preamble to the Standard Conditions of his supervised release by committing a crime, and he had violated Special Condition 6 of his supervised release by consuming alcohol. Judge Johnston found the admissions sufficient to establish the supervised release violations. He recommended that this Court revoke Defendant's supervised release and commit him to the custody of the United States Bureau of Prisons for a term of imprisonment of two months, with no supervised release to follow. Judge Johnston also recommended that this sentence run consecutive to any state sentence of imprisonment that the Defendant is serving.

No objections were filed by either party. Judge Johnston's findings and recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commadore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Johnston's findings. Defendant admitted he had violated the Preamble to the Standard Conditions and Special Condition 6. Defendant could be incarcerated for up to 24 months, followed by 32 months of supervised release less any custody time imposed. The United States Sentencing Guidelines call for a term of imprisonment of 15 to 21 months. A sentence of two months in custody, with no supervised release is appropriate. The sentence is sufficient but not greater than necessary.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 146) are ADOPTED in full and Judgment shall be entered accordingly.

DATED this 14th day of September, 2015.



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Brian Morris  
United States District Court Judge